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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,670	06/05/2001	Nigel Andrew Justin Davies	80398P394	7529

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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,670

Applicant(s)

DAVIES ET AL.

Examiner

Mohammad A Siddiqi

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 1-37 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Shteyn et al. (6618764) (hereinafter Shteyn).
4. As per independent claims 1,15,25, and 33, Shteyn discloses a controller (col 2, lines 28-30) comprising at least one Home Audio Visual Initiative (HAVi) server that communicates with at least one HAVi compliant device using a HAVi application programming interface (API) and at least one proxy on at least one Internet Protocol (IP) device (figure 1, element

102, col 1, lines 51-55) using an IP and HAVi API (figure 1, col 1, lines 23-43), the server communicating with the IP device via an IP protocol, the server comprising at least one IP device control module (IP device DCM) (col 3, lines 33-37) corresponding to the IP device(figure 3, col 2, lines 52-65) , the IP device providing API support to translate and relay calls between the proxy and the server so that at least one HAVi compliant device can communicate with the IP device(figure 3, col 6, lines 30-40).

5. As per claims 2, 16, and 34, Shteyn discloses the proxy (col 12, lines 19-25) and IP and HAVi APIs communicate with the server to enable the IP device to control at least one device selected from the group consisting of IP devices and HAVi compliant devices (col 12, lines 1-6).

6. As per claims 3,17, and 35, Shteyn discloses a HAVi compliant device can control at least one device selected from the group consisting of an IP device and at least one HAVi compliant device (col 3, lines 3-9), the HAVi compliant device controlling the device by accessing a DCM associated with that device (col 3, lines 33-39).

7. As per claim 4, Shteyn discloses the HAVi compliant device is physically located on the controller (figure 2, col 11, lines 24-30).

8. As per claims 5, 26, and 36, Shteyn discloses a HAVi stack that enables IP device DCMs to be instantiated independently of bus reset events (col 4, lines 1-21).

9. As per claim 6, Shteyn discloses server communicates with IP devices across a first communication medium and HAVi compliant devices across a second communication medium (col 4, lines 22-36).

10. As per claim 7, Shteyn discloses the first communication medium is selected from the group consisting of fiber, optical, cable, wire and wireless networks (col 1, lines 52-65 and col 2, lines 38-47).

11. As per claim 8, Shteyn discloses the second communication medium is an IEEE 1394 network (col 1, lines 52-65).

12. As per claim 9, Shteyn discloses comprising a stream bridge configured to capture content from a first device of IP and HAVi compliant devices coupled to the controller and relay it to a second device of IP and HAVi compliant devices (col 3, lines 54-58).

13. As per claim 10, Shteyn discloses wherein the controller is selected from the group consisting of HAVi full audio/visual (FAV) device and intermediate audio/visual (IAV) device (col 15 lines 14-20).

14. As per independent claims 11, 20, and 29, Shteyn discloses a controller (col 2, lines 28-30) comprising at least one server that communicates with at least one first network compliant device using a first network application programming interface (API) and a first protocol (col 20, lines 12-42 and col 6, lines 4-39), and the server communicating with a proxy on at least one second network compliant device using a first and second network API (col 20, lines 12-42 and col 6, lines 4-39), the server communicating with the second network compliant device via a second protocol (col 20, lines 12-42), the server including at least one second network compliant device control module (DCM) (col 3, lines 33-37) corresponding to the second network compliant device (figure 3, col 2, lines 52-65), the second network compliant device providing API support to translate and relay calls between the proxy and the server so that at least one first network compliant device can communicate with the second network compliant device (figure 3, col 6, lines 30-40).

15. As per claims 12, 21, 22, and 30, Shteyn the first network compliant device is a Home Audio Visual Initiative (HAVi) network compliant device (figure 4, element 308, col 16, lines 60-67).

16. As per claims 13, 23, and 31, Shteyn wherein the second network compliant device is an Internet Protocol (IP) device (col 5, lines 30-65, COM Internet Services (CIS) introduces support for a new Distributed COM (DCOM) transport protocol known as Tunneling Transmission Control Protocol (TCP) that allows DCOM to operate over TCP port 80. This allows a client and a server to communicate in the presence of most proxy servers and firewalls, thereby enabling a new class of COM-based Internet scenarios).

17. As per claims 14, 24, and 32, Shteyn wherein the second protocol is IP (col 5, lines 30-65, COM/DCOM uses TCP/IP).

18. As per claim 18, Shteyn discloses the API comprises a library of functions (figure 3, element 304 col 6, lines 3-31).

19. As per claims 19, 28, and 37, Shteyn discloses streaming content through the input/output coupling (col 1, lines 42-46).

20. As per claim 27, Shteyn discloses the second HAVi compliant device is selected from the group consisting of the first HAVi compliant device and a device coupled to the first HAVi compliant device through a network (col 1, lines 36-43).

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent 6374404 to Brotz et al.

U.S. Patent 6363434 to Eytchison et al.

U.S. Patent 6434447 to Shteyn et al.

U.S. Patent 6430599 to Baker et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703) 306-5404.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MAS



**JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**